

LAND RECLAMATION COMMISSION

STATE OF MISSOURI

P.O. BOX 176

JEFFERSON CITY, MISSOURI 65102

573-751-4041

Permit To Engage in Surface Mining

LAND RECLAMATION COMMISSION

ISSUES TO EARTHWORKS

Pursuant to "The Land Reclamation Act," RSMo, 2001, and on conformity with the statements

In the application, a permit is hereby granted to engage in surface mining of

limestone in the state of Missouri. The extent of the

Proposed mining operation(s) will be on 12 acres, more or less.

The locations of the operation(s) under this permit is/are as follows: Renewal

County	Section	Township	Range	Acres Renewed	Acres New	Total Acres	Site/Stream Name	Site Number
Ste. Genevieve	25, 30	37N	08E, 09E	12	0	12	Site #1	0715

This permit may be suspended or revoked upon violation of any or all of the conditions set forth in "The Land Reclamation Act," RSMo. 2001, or in such rules and regulations as are promulgated pursuant thereto by the Land Reclamation Commission.

IN WITNESS WHEREOF I have hereunto set my hand this 16th day of July 2004

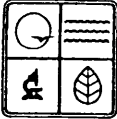


DIRECTOR OF STAFF
Land Reclamation Commission

Permit No. 0742
Effective Date 08/01/2004
Expiration Date 07/31/2005

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MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION

PERMIT RENEWAL FOR INDUSTRIAL MINERAL MINES

MISSOURI LAND RECLAMATION COMMISSION
P.O. BOX 176
JEFFERSON CITY, MO 65102-0176

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL EARTHWORKS, Inc.		DATE 06/28/04	
ADDRESS 4287 N. HWY 51	CITY PERRYVILLE	STATE MO	ZIP CODE 63775
CONTACT PERSON		TELEPHONE NUMBER 5	

FEES: COMPLETE SECTION I OR SECTION II

SECTION I. Fees: Open pit operators and those mining more than 5,000 tons of sand and/or gravel:

1. To compute the site fee complete the information below:

SITE NAME OR NUMBER (add a separate sheet for additional sites)	Mark each month that the site will be operated during the permit year	For sites operated less than six months per permit year pay \$150 For sites operated six months or more per permit year pay \$300
1. EARTHWORKS QUARRY SITE I	<u>Jan</u> , <u>Feb</u> , <u>Mar</u> , <u>Apr</u> , <u>May</u> , <u>Jun</u> , <u>Jul</u> , <u>Aug</u> , <u>Sep</u> , <u>Oct</u> , <u>Nov</u> , <u>Dec</u>	\$ 300.00
2.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
3.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
4.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
5.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
6.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
7.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
8.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
9.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
10.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$

TOTAL SITE FEE **\$ 300.00**2. Acreage Fee \$5 X **12** number of acres bonded **\$ 60.00**3. Annual Permit Fee **\$ 500**4. Total Fee (Add totals from 1, 2 and 3) **\$ 860.00**NOTE: If Total Fee exceeds \$2,500.00 then pay only **\$ 2,500**

SECTION II. FEES: Sand or gravel operators mining less than 5,000 tons per year:

1. Annual Permit Fee **\$ 300**

SIGNATURE OF APPLICANT <i>[Signature]</i>		TITLE Superintendent	DATE 06/28/04
Appeared before me this 28th day of June , 20 04 , Darrell Leach to me personally known, who executed the above as their free acts and deeds.			
NOTARY PUBLIC EMBOSSEER SEAL	STATE OF Missouri	COUNTY (OR CITY OF ST. LOUIS) Ste. Genevieve	
	SUBSCRIBED AND SWORN BEFORE ME, THIS 28th DAY OF June , YEAR 2004		
	NOTARY PUBLIC SIGNATURE <i>Gaylene M. Jakerst</i>	MY COMMISSION EXPIRES 2-7-2006	
	NOTARY PUBLIC NAME (TYPED OR PRINTED) Gaylene M. Jakerst		
FOR DEPARTMENT USE ONLY: APPROVED BY <i>[Signature]</i>		DATE APPROVED 7/7/04	PERMIT NUMBER 0742
		EXPIRATION DATE 7/31/04 5	



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
SITE INFORMATION FORM

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To be completed for each separate area of disturbance associated with mining operations.

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LAND RECLAMATION COMMISSION

SITE NAME OR NUMBER EARTHWORKS #1		PERMIT NUMBER 0724	
COMPANY NAME EARTHWORKS			
COUNTY Ste. Genevieve	1/4 SECTION SW 1/4 SE 1/4		SECTION 25 & 30
TOWNSHIP 37N	RANGE 8E & 9E		ACRES 16
RIVER OR STREAM NAME (FOR IN-STREAM ACRES) N/A			
MINERAL COMMODITY Limestone (slabs)		ESTIMATED TONS/YEAR (FOR GRAVEL SITES) N/A	

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE) H & H Joggerst LLC		
ADDRESS 17579 State Route B		
CITY Ste. Genevieve	STATE MO	ZIP CODE 63670
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE):		<input checked="" type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT DATE OF AGREEMENT 5/22/98

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE)		
ADDRESS		
CITY	STATE	ZIP CODE
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE):		<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT DATE OF AGREEMENT

NOTE: Each site must be shown on a map and be included in a public notice and an approved mine plan.



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
MINE PLAN

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BOX 176
JEFFERSON CITY, MO 65102

TYPE OF PLAN (CHECK ONE):

☐ SHORT TERM, FOR ONE PERMIT YEAR

COMPANY NAME EARLE RECLAMATION COMMISSION

☒ LONG TERM, FOR PERIOD THROUGH DATE: 2008

DESCRIPTION OF SITE PRIOR TO LAND RECLAMATION COMMISSION PERMITTING (BY APPLICANT OR PRIOR OPERATOR), INCLUDING SOIL, VEGETATION AND TOPOGRAPHY.

This plan covers approximately 16 acres (see map #1)
Most of the mine area lies in steeply sloped and heavily wooded areas.

OPERATION PLAN - 10 CSR 40-10.020(2)(D)1.

A. TOPSOIL

AVERAGE DEPTH OF TOPSOIL, PRIOR TO LAND RECLAMATION COMMISSION PERMITTING

4

INCHES

IS TOPSOIL TO BE SOLD OR DISCARDED OFFSITE?

☐ YES OR ☒ NO

DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL REMOVAL

After trees are cleared the top 12 inches of soil will be removed.
Top soil being only 4 inches deep an additional 8 inches of sub-soil will be removed to obtain a total of 12 inches for soil replacement.

DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL STORAGE AND PROTECTION

Soil will be deposited to the northeast of the pit area (see map #2)
Stockpiles will be seeded to help prevent erosion.

B. SPOIL**DESCRIBE METHODS AND LOCATION OF SPOIL PLACEMENT AND DISPOSAL**

All over burden removed will be placed in the mined out portions and graded where possible to ~~traverseable~~ slopes (3:1) before top soil is replaced.

C. ACID MATERIALS**DESCRIBE METHODS AND EQUIPMENT USED FOR HANDLING ACID MATERIALS (IF NONE IS ANTICIPATED, WRITE "NONE" BELOW)**

NONE

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D. PIT INFORMATION (GIVE ALL DIMENSIONS IN FEET)**DESCRIBE LOCATION AND ORIENTATION OF PIT, IF NOT CLEAR ON SITE MAPS**

First cuts will be west of the permit area
From there cuts will advance to the southeast (see map #2)

YES NO

☐ ☒ Will any excavation be at or within fifty feet (50') of the right-of-way of any public road?

☐ ☒ Will any highwall consisting of unconsolidated materials be left within fifty feet of the right-of-way of any public road? (NOTE: For unconsolidated materials left in place, a slope of no more than forty degrees may start near the right of way, and in no case may the excavation be closer to the right of way than fifty feet or twenty-five feet plus one and one-half (1-½) times the depth of unconsolidated material, whichever is greater, unless a variance is granted by the Commission.)

☐ ☒ Will any excavation start at or within fifty feet (50') of any property line?
(NOTE: If the answer is "yes", a safety barrier may be needed.)

A. REVEGETATION (Attach additional sheets, if needed)

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

Lime and fertilizer will be applied according to recommendations made, based on an analysis of soil texture and nutrients. Mulch will be applied to all slopes exceeding 5:1.

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DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

Lime and fertilizer will be applied according to recommendations made, based on an analysis of soil texture and nutrients. Mulch will be applied to all slopes exceeding 5:1.

ATTACH ADDITIONAL SHEETS FOR ADDITIONAL SEED MIXES.

B. GRADING**DESCRIBE PROPOSED RECLAIMED TOPOGRAPHY, INCLUDING SLOPES**

Spoils area where applicable will be graded to traversable slopes by farm equipment.

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C. DESCRIBE THE GENERAL SEQUENCE AND TIMING OF THE FOLLOWING ACTIVITIES**GRADING**

Grading will be done as rock cuts advance and as spoils are placed in the mined-out portions.
Final grading will be completed within one year of permit expiration on all mined-out areas.

REPLACEMENT OF TOPSOIL

Replacement of top soil will be to a uniform depth of 12 inches
Top soil will be replaced within one year of permit expiration.

REVEGETATION

All top soil areas will be seeded during the first optimum seeding period following top soil replacement.

AVERAGE DEPTH OF REPLACED TOPSOIL (INCHES)

12 inches K. THIERET 7.13.98

D. USE OF LAND WHEN RECLAIMED

Estimate acreage of each land use below, after reclamation

ESTIMATED ACRES:

Wildlife (forest or other habitat with livestock excluded)

16

Agricultural (pasture, cropland, and horticultural)

Development (residential, industrial, and recreational)

Water impoundments (for wildlife, agricultural, or development)

By my signature, I attest to the following:

1. All statements made on this Mine Plan Form are correct, complete, and true, to the best of my knowledge.
2. I or the company I am authorized to represent intend(s) to mine in accordance with this Mine Plan Form, and in accordance with the Missouri Land Reclamation Act, Sections 444.760 through 444.789, RSMo and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operations.
3. I have obtained the approval of all landowner's for all proposed post-reclamation land uses.
4. I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and his authorized representatives, and I grant such access, and further where I have no such right, I have attached signed affidavits from the landowners, granting such access.

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SIGNATURE OF APPLICANT <i>X Kevin J. Thierst</i>		TITLE President	DATE 6/22/98
NOTARY PUBLIC EMBOSSEER SEAL	STATE Missouri	COUNTY (OR CITY OF ST. LOUIS)	
SUBSCRIBED AND SWORN BEFORE ME. THIS 22nd DAY OF June 19 98		USE RUBBER STAMP IN CLEAR AREA BELOW	
NOTARY PUBLIC SIGNATURE <i>Gaylene M. Jokerst</i>	MY COMMISSION EXPIRES 2-6-2002	<div>GAYLENE M JOKERST Notary Public - Notary Seal STATE OF MISSOURI STE. GENEVIEVE COUNTY MY COMMISSION EXP. FEB. 6, 2002</div>	
NOTARY PUBLIC NAME (TYPED OR PRINTED) Gaylene M. Jokerst			
APPROVED BY (DIRECTOR'S REPRESENTATIVE) <i>[Signature]</i>		DATE APPROVED Aug 3-98	PERMIT NUMBER 0742

